

AN ORDINANCE

101502

APPOINTING EVA GARZA, LYNDIA RODRIGUEZ, AND RYAN WILSON AND REAPPOINTING JAMES MATTOX AND VIRGINIA ROGERS TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER SIX, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS THE MISSION DEL LAGO PROJECT, FOR TERMS OF OFFICE TO EXPIRE OCTOBER 6, 2007, IN ACCORDANCE WITH THE TEXAS TAX CODE, CHAPTER 311, THE TAX INCREMENT FINANCING ACT, AND THE CITY CODE, CHAPTER 2, ARTICLE VIII, ENTITLED "BOARDS AND COMMISSIONS"; PROVIDING FOR THE WAIVER FOR THESE TERMS ONLY OF SECTION 2-402 OF SAID ARTICLE FOR EACH APPOINTEE AND OF SECTION 2-403(C) FOR JAMES MATTOX AND VIRGINIA ROGERS; AND APPOINTING JAMES MATTOX AS CHAIRPERSON FOR A ONE YEAR TERM BEGINNING ON JANUARY 1, 2006.

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WHEREAS, the City of San Antonio ("City") received a petition by Mission del Lago, a Texas Limited Partnership, the owner representing over 50% of the value of the property in an area commonly referred to as the Mission del Lago Project, requesting that the area be designated as a Tax Increment Financing Reinvestment Zone ("TIRZ") to help fund public improvements and promote economic development within the Zone; and

WHEREAS, pursuant to Ordinance Number 90312, passed and approved on August 19, 1999, City Council authorized the designation of the Mission del Lago Project as Reinvestment Zone Number Six, City of San Antonio, Texas ("Zone") and established a Board of Directors for the Zone (hereinafter "Board"); and

WHEREAS, the Board consists of nine members, in accordance with the Tax Increment Financing Act ("The Act"); six of whom are City appointees, one is a County appointee, and two are the state legislators in whose districts the TIRZ lies; and

WHEREAS, because the terms of all City appointments to the Board have expired, it is necessary for the City Council to fill the vacancies by appointing three and reappointing two Board members to the Board for two year terms beginning October 6, 2005, ending October 6, 2007, and to reappoint a chairman to the Board for a one-year term beginning on January 1, 2006, ending on December 31, 2006; and

WHEREAS, on July 14, 2005, City Council passed and approved Ordinance Number 101119, which amended Chapter 2 of the City Code of the City of San Antonio ("City Code"), Article VIII, entitled "Boards and Commissions" which governs the creation and operation of all boards and commissions created by ordinance or resolution passed by the City Council; and

WHEREAS, it has been and continues to be the City's policy to subject all TIRZ boards to the boards and commissions policies of the City, except as provided otherwise by state law; and

WHEREAS, due to the unique nature of TIRZ boards, and in an effort to comply with the amended City Code, staff requests that for these terms only, these appointees to this board be exempted from Section 2-402 of the City Code, regarding the process for at-large appointees to boards and commissions, and James Mattox and Virginia Rogers be exempted from Section 2-403(c), regarding the requirement that all board appointees be residents of the City; and

WHEREAS, the TIF Act requires individuals to be at least eighteen (18) years of age and owners or agents or employees of owners of real property in the TIRZ in order to be eligible for appointment to a TIRZ board designated before September 1, 2001; and

WHEREAS, all five applicants meet the statutory requirements for eligibility to serve on the Board; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 1. Eva Garza, Lynda Rodriguez and Ryan Wilson are appointed and Reappointing James Mattox and Virginia Rogers are reappointed to the Board of Directors for Reinvestment Zone Number Six, City of San Antonio, Texas ("the Zone"), commonly referred to as the Mission Del Lago Project, for two-year terms beginning October 6, 2005, and expiring October 6, 2007.

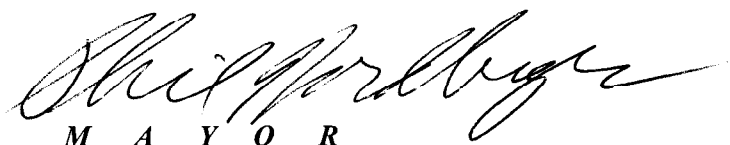
Section 2. The above appointees to the Tax Increment Reinvestment Zone Number Six Board of Directors are required to comply with all applicable City Code provisions, City ordinances, Charter provisions, state law and federal law including the requirement to submit an annual Financial Disclosure form, the Texas Open Meetings Act, Charter provisions on Holdover, and Chapter 2, Article VIII of the City Code, except that, for these terms of office only, City Code Section 2-402 (at-large appointment process) shall not apply to the above appointees, and Section 2-403(c) (residency requirement) shall not apply to James Mattox and Virginia Rogers for these terms of office.

Section 3. James Mattox is hereby appointed Chairman of the Board of Directors for the Zone, for a one-year term beginning on January 1, 2006 and expiring on December 31, 2006.

Section 4. It is hereby found that the above appointees are at least eighteen (18) years of age, and own real property in the Zone, or are an employee or agent of a person who owns real property in the Zone, and thereby meet the requirements of the Tax Increment Financing Act in effect at the time the Zone was created.

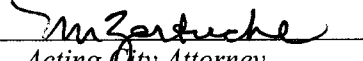
Section 5. This ordinance shall be effective immediately upon the receipt of eight (8) affirmative votes.

PASSED AND APPROVED this 6th day of October 2005.


M A Y O R

PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for Acting City Attorney

Agenda Voting Results

Name: 6.

Date: 10/06/05

Time: 09:35:59 AM

Vote Type: Multiple selection

Description: An Ordinance appointing Eva Garza, Lynda Rodriguez, and Ryan Wilson and reappointing James Mattox and Virginia Rogers to the Board of Directors for Reinvestment Zone Number Six, City of San Antonio, Texas, commonly referred to as the Mission Del Lago Project, for terms of office to expire October 6, 2007, in accordance with the Texas Tax Code, Chapter 311, the Tax Increment Financing Act, and the City Code, Chapter 2, Article VIII, entitled "Boards And Commissions"; providing for the waiver for these terms only of Section 2-402 of said article for each appointee and of Section 2-403(c) for James Mattox and Virginia Rogers; and appointing James Mattox as Chairperson for a one year term beginning on January 1, 2006. [Presented by David D. Garza, Director, Neighborhood Action Department; Jelynn LeBlanc Burley, Assistant City Manager].

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4	Not present			
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		